

1 The Honorable James L. Robart  
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10 UNITED STATES DISTRICT COURT  
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WESTERN DISTRICT OF WASHINGTON

MICROSOFT CORPORATION,

Plaintiff,

v.

MOTOROLA, INC., MOTOROLA MOBILITY,  
LLC, and GENERAL INSTRUMENT  
CORPORATION,

Defendants.

NO. C10-1823-JLR

[PROPOSED] ORDER GRANTING  
NONPARTIES KYOCERA  
CORPORATION AND KYOCERA  
COMMUNICATIONS, INC.'S MOTION  
TO AMEND THE PROTECTIVE ORDER  
TO INCLUDE A LICENSE  
NEGOTIATION RESTRICTION ON  
MICROSOFT'S IN-HOUSE COUNSEL

This matter having come before the Court upon the Motion to Amend the Protective Order to bar Microsoft In-House Counsel from participating in license negotiations with Kyocera Corporation and Kyocera Communications, Inc. (collectively "Kyocera") by nonparty Kyocera, and the Court having read the Motion and all materials submitted and believing itself fully advised:

IT IS HEREBY ORDERED that the request of nonparties Kyocera contained in this Motion to Amend the Protective Order to include a license negotiation restriction on Microsoft in-house counsel who access Trial Exhibit 3224 (Kyocera-Motorola license) is hereby GRANTED.

[PROPOSED] ORDER GRANTING NONPARTIES KYOCERA  
CORPORATION AND KYOCERA COMMUNICATIONS, INC.'S  
MOTION TO AMEND THE PROTECTIVE ORDER TO INCLUDE  
A LICENSE NEGOTIATION RESTRICTION ON MICROSOFT'S  
IN-HOUSE COUNSEL (NO. C10-1823-JLR) - 1

BYRNES ♦ KELLER ♦ CROMWELL LLP  
38TH FLOOR  
1000 SECOND AVENUE  
SEATTLE, WASHINGTON 98104  
(206) 622-2000

1 FURTHER, IT IS HEREBY ORDERED that Mr. Culbert, Mr. Killough, or any other in-  
2 house counsel employed by Microsoft Corporation who accesses Trial Exhibit 3224 (Kyocera-  
3 Motorola license) shall not, directly or indirectly, participate in patent licensing negotiations with  
4 Kyocera for a period of five (5) years after conclusion of this action.

5 Dated this \_\_\_\_ day of November, 2012  
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7 Honorable James L. Robart  
8 United States District Court Judge

9 Presented by:

10 BYRNES KELLER CROMWELL LLP

12 By /s/ John A. Tondini  
13 John A. Tondini, WSBA #19092  
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Attorneys for Nonparties Kyocera Corporation  
and Kyocera Communications, Inc.

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that on the 7th day of November, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel on record in the matter.

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